PTO/SB/26 (10-00) Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A PRIOR PATENT	Docket Number (optional)

In re Application of: Paul J. Berlowitz et al

Application Number 08/971,254 [400100] Family Number P1995J076-US3

Filed: November 17, 1997

For: SYNTHETIC DIESEL FUEL AND PROCESS FOR ITS PRODUCTION

The owner*, ExxonMobil Research and Engineering Company (formerly Exxon Research and Engineering Company) of one hundred percent (100%) interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 5,689,031. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1. [X] For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. [ ] The undersigned is an attorney of record.

M. Marin — SIGNATURE — 1/14/04 — DATE

MARK D. MARIN — TYPE OR PRINTED NAME — 50,842 — REGISTRATION NO.

[X] Terminal disclaimer fee under 37 CFR 1.20(d): charge Deposit Account No. 05-1330.

* Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner). Form PTO/SB/96 may be used for making this certification. See MPEP § 324.

CERTIFICATION OF FACSIMILE TRANSMISSION
I hereby certify that this paper is being facsimile transmitted to the Commissioner for Patents facsimile number 1-703-872-9310 on the date shown below.

KATHLEEN A. KUNA — Kathleen A. Kuna — JAN. 14, 2004

Type or print name of person signing certification — Signature — Date

27810
PATENT TRADEMARK OFFICE

MDM:kak 1/14/2004

01/29/2004 ASELLMAN 00000003 051330 08971254
01 FC:1614 110.00 DA